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COOLIT SYSTEMS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASETEK HOLDINGS, INC. and ASETEK A/S,

Plaintiffs and Counterclaim
Defendants,

v.

COOLIT SYSTEMS INC.,

Defendant and
Counterclaim Plaintiff.

CASE NO. 3:12-CV-04498-EMC

**STIPULATED DISMISSAL OF ACTION
WITH PREJUDICE;**

~~[PROPOSED]~~ ORDER

Judge: Hon. Edward M. Chen

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and 41(c), Plaintiffs and Counterclaim Defendants Asetek Holdings, Inc. and Asetek A/S (“Asetek”) and Defendant and Counterclaim Plaintiff CoolIT Systems Inc., (“CoolIT”) stipulate that this action (*i.e.*, all claims and counterclaims) is dismissed with prejudice in its entirety. Magistrate Judge Grewal, or in his absence, the Northern District of California, will retain jurisdiction to enforce the parties’ confidential settlement agreement (the terms of which are incorporated herein by reference). Each party shall bear its own attorneys fees and costs.

The parties further note for the record that the named plaintiff “Asetek A/S” is currently known as Asetek Danmark A/S and that references to “Asetek A/S” in this stipulation and proposed order refer to the corporate entity currently known as “Asetek Danmark A/S.”

By his signature below, counsel for Asetek attests under penalty of perjury that counsel for CoolIT concurs in the filing of this document.

Dated: February 6, 2015

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

By: /s/Robert F. McCauley
Robert F. McCauley

Attorneys for Plaintiff and Counterclaim Defendant
Asetek Holdings, Inc. and Asetek A/S

Dated: February 6, 2015

COOLEY LLP

By: /s/Daniel J. Knauss
Daniel J. Knauss
Attorneys for Defendant and Counterclaim Plaintiff
CoolIT Systems Inc.

[~~PROPOSED~~] ORDER

PURSUANT TO STIPULATION OF ALL PARTIES, AND FOR GOOD CAUSE SHOWN:

This action (i.e., all claims and counterclaims) is dismissed with prejudice in its entirety, with Magistrate Judge Grewal, or in his absence, the Northern District of California, retaining jurisdiction to enforce the parties' confidential settlement agreement (the terms of which are incorporated herein by reference). Each party shall bear its own attorneys fees and costs.

IT IS SO ORDERED.

Dated: February ⁹ __ 2015

